

MINUTES OF THE
MAG MANAGEMENT COMMITTEE MEETING
September 10, 2003
MAG Office Building - Saguaro Room
Phoenix, Arizona

MEMBERS ATTENDING

Terry Ellis, Peoria, Chair	Tom Martinsen, Paradise Valley
Mike Hutchinson, Vice Chair, Mesa	Frank Fairbanks, Phoenix
# George Hoffman, Apache Junction	John Kross for Cynthia Seelhammer, Queen Creek
Todd Hileman, Avondale	Jacob Moore for Bryan Meyers, Salt River
Joe Blanton, Buckeye	Pima-Maricopa Indian Community
* Jon Pearson, Carefree	Roger Klingler for Jan Dolan, Scottsdale
* Usama Abujbarah, Cave Creek	Phil Testa for Jim Rumpeltes, Surprise
Pat McDermott, Chandler	Will Manley, Tempe
Dick Yost, El Mirage	Ralph Velez, Tolleson
# Tim Pickering, Fountain Hills	Shane Dille, Wickenburg
Richard Stuart for Don Steele, Gila Bend	Mark Fooks, Youngtown
* Urban Giff, Gila River Indian Community	Dale Buskirk for Victor Mendez, ADOT
George Pettit, Gilbert	Tom Buick for David Smith, Maricopa County
Dana Tranberg for Ed Beasley, Glendale	Ken Driggs, Valley Metro/RPTA
Stephen Cleveland, Goodyear	
Tom Morales, Guadalupe	
Horatio Skeete, Litchfield Park	

*Those members neither present nor represented by proxy.

Participated by videoconference or telephone conference call.

1. Call to Order

The meeting was called to order by Chairman Terry Ellis, Peoria, at 12:08 p.m.

2. Pledge of Allegiance

The Pledge of Allegiance was recited.

Chairman Ellis stated that transit tickets were available following the meeting from Valley Metro/RPTA. Parking validation was available from MAG staff for those who parked in the parking garage.

Chairman Ellis announced that Tim Pickering, Fountain Hills, was attending the meeting via telephone conference call, and George Hoffman, Apache Junction, was attending via

videoconference call. Mr. Pickering and Mr. Hoffman acknowledged they were present and could hear the meeting.

Chairman Ellis noted that materials for agenda items #8 and #9 were at each place.

3. Call to the Audience

Chairman Ellis stated that public comments have a three minute time limit and there is a timer to help the public with their presentations. When two minutes have elapsed, a yellow light will come on notifying the speaker that they have one minute to sum up. At the end of the three minute time period, a red light will come on. Chairman Ellis stated that for members of the audience who wish to speak, comment cards are available from the staff. Staff will then bring the cards to the Chairman. Public comment is provided at the beginning of the meeting for non-agenda items.

Chairman Ellis recognized public comment from DD Barker, who referred to discussion at the June 2003 Management Committee meeting about a contract extension at Valley Metro Rail to SR Beard. She stated that the FTA has indicated making changes to the contract would be out of the scope. MAG staff indicated that it is not a MAG contract. Ms. Barker stated that she disagrees and it is MAG's business because MAG does public outreach and ridership numbers with Mr. Beard. She stated her objection to using 5309 funds for at-grade in-median designs, not only because of safety, but for air quality reasons. She stated that she sent a letter to FTA listing her concerns. There is also a July 18th letter to Ed Zuercher from FTA stating the same safety concerns. Ms. Barker stated that FTA asked for ADOT to have oversight of light rail. She noted that no safety evaluations are being done on rail. Ms. Barker noted an August 28th letter from Valley Metro to the Transportation Policy Committee indicating that modeling for ridership is unrealistic. Ms. Barker commented that multimodal feels good. Chairman Ellis thanked Ms. Barker for her comments.

Ms. Barker submitted a written statement for the record. The statement said that she brought a guest to the meeting, whose aunt once attended MAG meetings as a mayor from Miami-Globe.

Chairman Ellis recognized public comment from Blue Crowley, who stated that he would be in Scottsdale to see the County's plan. He stated that he had a problem with the RTP because the promise had been made that 50 percent of new sales tax money would be going to rubber tired transit. That number is now down to 30 percent, which is light rail. Mr. Crowley commented that 20 miles of light rail is within Phoenix, so how is that regional? He noted a \$94 million per mile cost for light rail. Mr. Crowley stated that he requested at the hearings information on how much each agency would get for rubber tired transit, and he is still waiting for that information. Mr. Crowley stated that he was locked out of a CTOC meeting, which is a violation of the open meeting law and nothing has been done about it. Mr. Crowley said he is still waiting for a letter from ADOT on Mr. Arnett. Mr. Crowley stated that there will be a Loop 303 freeway. He asked if anyone could explain why those residents will need a freeway and not rubber tired transit? Mr. Crowley stated that in 1989, people were guaranteed that any new vote would be 50 percent to rubber tired transit. He stated that Mayor Mary Manross has said that we need to fight for transit dollars, but all he sees is freeway mentality. Mr. Crowley stated that transit

needs to be addressed, instead of you just continuing to hold a job. He stated that all you are doing is to have MAG for 20 more years, and that is why he will be voting no. Chairman Ellis thanked Mr. Crowley for his comments.

4. Executive Director's Report

Mr. Smith stated that the Senate Appropriators approved funding levels for highway program and set aside \$33.8 billion from the Highway Trust Fund for FY 2004, which is \$2.2 billion more than current levels.

Mr. Smith stated that the motor vehicle emission budgets in the Carbon Monoxide Redesignation Request and Maintenance Plan for the Maricopa County Nonattainment Area have been found adequate for transportation conformity purposes. He added that these budgets will be used to determine conformity for the new Regional Transportation Plan.

Mr. Smith stated that he and Eric Anderson gave a presentation on the Regional Transportation Plan at the September 4, 2003 Outlook 2004 Economic Forecast held by the Greater Phoenix Chamber of Commerce.

Mr. Smith stated that a group of individuals from the Ad Hoc Joint Legislative Committee for the Maricopa County Regional Transportation Plan and the Transportation Policy Committee went to visit the peer city of Dallas, Texas. The group learned about the Dallas multimodal system and transportation solutions that have been implemented. Mr. Smith noted that Dallas has successfully used a public/private partnership in the redevelopment of certain areas.

Mr. Smith announced that the final public meeting on the Draft RTP will take place that evening, September 10th, at the Community Design Studio in Scottsdale from 5:00 to 7:00 p.m. He stated that a transcript of comments and responses to those comments will be provided at the September 17th Transportation Policy Committee meeting. Chairman Ellis thanked Mr. Smith for his report.

5. Approval of Consent Agenda

Chairman Ellis stated that public comment will be received before taking action on the consent items. Each speaker is provided with a total of three minutes to comment on the consent agenda. After hearing public comments, any member of the Committee can request that an item be removed from the consent agenda and considered individually. Chairman Ellis stated that agenda items #5A through #5G were on the consent agenda.

Chairman Ellis recognized public comment from Mr. Crowley, who stated that the process is a sham. He noted that all of the action items are on the consent agenda, so instead of three minutes for each one, he is allowed a total of three minutes for all. Mr. Crowley noted that the items to be heard are for information and discussion, and no public comment is taken on non-action items. Mr. Crowley stated that if light rail is only from Central Avenue and Indian School to SR 51 and to Paradise Valley Mall, how is that a regionally significant project? He commented that all of the upgrades to SR 51 should take place at once. Mr. Crowley stated that

Phoenix has stated that they will have no more new freeways through the city, but then propose double-decking I-17. Mr. Crowley asked members how much their city put into the sales tax and how much was returned. He stated that he was tired of the 500 lb. gorilla saying this is what we are going to do. Mr. Crowley stated that he is tired of air quality problems because you did not do your job. Mr. Crowley referred to a 1989 transportation document that included a desire by Buckeye for circulator buses and railroad. Gila Bend wanted connectors to Sentinel and Agua Caliente for use as hubs. Mr. Crowley stated that there will be no buses on Grand Avenue between Peoria to 7th Avenue because of your obnoxiousness in putting in bridges. Mr. Crowley stated that ISTEIA regulations say to consider bike and transit first. He explained that transit riders have to travel one-half mile to catch a bus because Grand Avenue was not designed right. Mr. Crowley stated that the Yellow Line is being discontinued because of low ridership. He commented that there is probably low ridership because there is poor bus service and no shelters. Mr. Crowley urged MAG to work with the railroads because the region needs commuter rail. Chairman Ellis thanked Mr. Crowley for his comments.

Mr. Hutchinson moved to recommend approval of the consent agenda. Mr. Fooks seconded, and the motion carried unanimously.

5A. Approval of July 9, 2003 Meeting Minutes

The Management Committee, by consent, approved the July 9, 2003 meeting minutes.

5B. Enhancement Funds Working Group Round XI Recommendations

The Management Committee, by consent, recommended that ranked applications from the MAG Enhancement Funds Working Group be forwarded to the Arizona Department of Transportation for consideration by the State Transportation Enhancement Review Committee, and recommend that regulations limiting tree size to 15 gallons in all transportation enhancement projects be dropped due to concerns for health, safety and public welfare. The Enhancement Funds Working Group (EFWG) was formed by the MAG Regional Council in April 1993 to review and recommend a ranked list of Enhancement Fund applications from this region to the State Transportation Enhancement Review Committee (TERC). The Working Group recommends that the attached ranked applications be forwarded to the Arizona Department of Transportation (ADOT) for consideration by the TERC. In addition to reviewing and recommending projects to be submitted to the TERC, the EFWG reviews ADOT policies and recommends changes to improve the transportation enhancement program. This year, the Working Group discussed ADOT policies regarding limits on the size of trees used in transportation enhancement projects. The Group recommended that regulations limiting tree size to 15 gallons in all transportation enhancement projects be dropped due to concerns for health, safety and public welfare.

5C. Proposed Amendment to the FY 2003-2007 MAG Transportation Improvement for Highway Projects.

The Management Committee, by consent, recommended approving an Amendment to the FY 2003-2007 MAG Transportation Improvement Program to add a new ITS project for ADOT and an Enhancement project for Mesa. The FY 2003-2007 MAG Transportation Improvement

Program (TIP) was approved by the MAG Regional Council on July 24, 2002. Since that time, ADOT has been notified that the region has been awarded \$2,980,500 in ITS funding to develop connectivity and inter-operability with the AzTech ITS system. Also, the City of Mesa wishes to start development of an Enhancement funded project to design and construct pedestrian pathways, furniture and other amenities in their Downtown area. This project has been incorrectly omitted from the current TIP as being already underway. In order to proceed with these projects, they need to be added to the TIP. Both of the proposed changes may be categorized as exempt projects or minor project revisions for which an air quality conformity analysis is not required. Consultation on the conformity assessment for the proposed changes was considered under a separate agenda item.

5D. Consultation on Proposed Transportation Conformity Processes for the 2003 MAG Conformity Analysis

Federal and state conformity regulations require that MAG consult with federal, state, and local air quality and transportation agencies on proposed processes for the conformity analysis on the Transportation Improvement Program and Plan. MAG distributed for comment the proposed processes to be applied in the upcoming conformity analysis for the FY 2004-2007 MAG Transportation Improvement Program and the Regional Transportation Plan. Comments regarding this material were requested by August 29, 2003. This item was on the agenda for consultation.

5E. Consultation on Potentially Regionally Significant Projects of the FY 2004-2007 MAG Transportation Improvement Program

Federal and state conformity regulations require Metropolitan Planning Organizations such as MAG to consult with state and local air quality and transportation agencies, the U.S. Environmental Protection Agency, and U.S. Department of Transportation regarding which transportation projects will be considered "regionally significant" for the purposes of regional emissions analysis. Regionally significant projects are subject to conformity requirements. A list of potentially regionally significant projects from the proposed FY 2004-2007 MAG Transportation Improvement Program has been prepared. It is requested that comments regarding the list be reported to MAG by August 29, 2003. This item was on the agenda for consultation.

5F. Conformity Consultation

MAG is conducting consultation on a conformity assessment to amend the FY 2003-2007 MAG Transportation Improvement Program. The amendment is necessary to include new federal Intelligent Transportation System (ITS) funding to develop connectivity and interoperability with the AzTech ITS system. The amendment also includes a City of Mesa transportation enhancement project to design and construct pedestrian pathways, furniture, and other amenities in their Downtown area. Both projects may be categorized as exempt. This item was on the agenda for consultation.

5G. Draft MAG 208 Water Quality Management Plan Amendment for the Town of Buckeye Tartesso West Water Reclamation Facility

The Management Committee, by consent, recommended approval of the Draft MAG 208 Water Quality Management Plan Amendment for the Town of Buckeye Tartesso West Water Reclamation Facility. The Town of Buckeye is requesting that MAG amend the 208 Water Quality Management Plan to include the Tartesso West Water Reclamation Facility. The Maricopa County unincorporated area is within three miles of the project, and the County has indicated they do not object to the proposed facility. On June 5, 2003, the MAG Water Quality Advisory Committee authorized a public hearing on the draft amendment with provisos. At the July 28, 2003 public hearing, the Town of Buckeye and the City of Goodyear indicated that the provisos from the Water Quality Advisory Committee had been addressed.

6. Regional Transportation Plan Update

Mr. Smith reviewed some of the past transportation milestones in the region. He stated that the Management Committee, Transportation Policy Committee (TPC), and Regional Council have accomplished a great deal in transportation. He spoke about the trip to the peer city of Dallas, Texas. Mr. Smith stated that Dallas has no regional tax for freeways, but has a one cent tax for transit. He noted that they have indicated they are looking at establishing tolls. Mr. Smith stated that the Regional Transportation Plan (RTP) process was begun three and one-half years ago. The Transportation Policy Committee has been meeting for the past year, beginning with their retreat in September 2002. Milestones during the year include working through the legislative agenda, working with the business community, and putting together a draft plan. Mr. Smith stated that the goal is to have a recommendation to approve the plan for an air quality conformity analysis from the TPC at their September 17th meeting. He noted that if no recommendation is forthcoming to the Regional Council, a meeting of the TPC will be held September 29th, which would then require having a special Regional Council meeting. Mr. Smith noted the tight time frame for the air quality staff to get the conformity analysis done. After the analysis is done, the plan needs to be certified to the Governor and Legislature by November 30th. The Legislature needs to take action in January to authorize an election so that the ballot language can be provided by the Board of Supervisors to the elections department by February 3, 2004. Mr. Smith noted that a very aggressive schedule needs to be met.

Mr. Smith reviewed the concepts for consideration at the September 17th meeting. 1) Firewalls established. 2) Life Cycle Program implemented for freeways, transit and streets. 3) Material cost change and enhancement policies continue. 4) Highway acceleration policy expanded for use by street projects. 5) Review of the plan every five years. 6) Funding for rubberized asphalt/mitigation. 7) Consideration of final input/projects from member agencies and the public.

Mr. Smith explained that when the plan was sent out for modeling on July 22nd, the assumption was an approximate \$800 million deficit. He reviewed the factors considered in some revenue adjustments that were made, which resulted in a \$94 million balance. Mr. Smith noted that the sales tax extension would end December 31, 2025, which is six months into FY 2026, whereas the other calculations ended with FY 2025. For consistency, ADOT and federal funds for FY

2026 were included in the plan. In addition, more revenue was added because an error was found in the calculation of net STP funds available.

Eric Anderson provided a recap of the funding change. The balance shown in the “green book” version of the RTP was a \$789 million shortfall. The added revenue that Mr. Smith mentioned comes to \$433 million. Along with cost reductions savings of \$450 million, the new balance is \$94 million. Mr. Anderson noted that no scope reductions were made while reducing the cost estimates. Mr. Anderson reviewed the phasing factors, including traffic demand and congestion, system continuity, revenue availability, bonding capacity and strategies, project cost, project development process, project readiness, and concurrent progress on multiple projects. Mr. Anderson displayed maps of the freeways/highways, interchanges, arterials, the supergrid, BRT routes, and high capacity routes.

Mr. Anderson reviewed the economic benefits of transportation. The ability to move people and goods is the backbone of Arizona’s economy. Congestion costs time and money. Cities with a substantial commitment to sustainable transportation do better economically. A strong economy is dependent on a good transportation system. Transportation equals jobs. The Plan represents four times the investment in the Central Arizona Project. Industry Output will increase \$27.6 billion or \$1.3 billion per year and will generate 10,600 jobs annually. The investments will also reduce congestion, thus improving our economic competitiveness.

Mr. Smith stated that the hope is to have unanimous support for the plan to the legislature from business and local governments.

7. 2005 Population Options

George Pettit, Chair of the Management Subcommittee on 2002 Population Options, stated that the subcommittee has completed its work and he provided a summary of its findings. He stated that the Subcommittee was challenged because some members, by participating, would be penalized economically. However, the Subcommittee realized that the benefits to the region outweighed those economic considerations. Mr. Pettit stated that the Subcommittee tried to include these considerations in their discussions.

Mr. Pettit stated that the Subcommittee reached unanimous concurrence to proceed with contracting with the Census Bureau for a survey with a 95 percent confidence interval, plus or minus two percent. He commented that represented the most economic approach, as well as providing an updated count. Mr. Pettit acknowledged the assistance of the Census Bureau.

Mr. Pettit stated that the Subcommittee asked the Census Bureau to provide the cost for a survey with a 95 percent confidence interval, plus or minus one percent. He noted that the Census Bureau will accommodate individual cities that wish to contract with the Bureau for that higher level of accuracy, at their own expense.

Mr. Pettit stated that FHWA funds will be used first to make the payments to the Census Bureau, and that local governments will make their first payments in 2005-2006. He commented that

it is up to the individual community to pay its share, but a commitment is needed by each agency, since the region needs to contract with the Bureau by March 2004.

Mr. Pettit stated that there was some dissension on the formula for allocating costs. Historically, MAG allocated cost on a per capita basis, but with a survey to get statistical accuracy, some cities would have to pay as much as a door-to-door census. Mr. Pettit stated that the Subcommittee arrived at a compromise formula. The compromise formula recommended by the Subcommittee uses a blending of allocating costs on per capita basis for communities with less than 6,000 population and a projected growth rate of less than 3.5 percent with housing unit sample size for all other communities. In no case can the costs of the 95 percent confidence interval, plus or minus 2 percent survey exceed the cost of a Special Census.

Mr. Pettit expressed appreciation to the Census Bureau's and MAG staff for their work. He stated that action would be taken on this item in October, to allow for contractual arrangements can be made with the Census Bureau.

Mark Fooks asked if the survey would change the vacancy rates and per person household rates. Harry Wolfe replied that the per person household rates and occupancy rates would be based on results of the survey in 2005.

Mr. Skeete if the survey was inclusive of all municipalities in Maricopa County and no option for individual municipalities. Mr. Smith replied that FHWA was looking for a regional project—not one with some cities doing a census and some a survey.

8. Regional Task Force on Arts and Culture

Myra Millinger, the Flinn Foundation, addressed the Committee on the Regional Task Force on Arts and Culture. Ms. Millinger stated that the Task Force was created to gain a competitive advantage for this region by integrating arts, recreational and cultural amenities into the region's communities. Ms. Millinger provided the background of the formation of the Task Force. A study was commissioned two years ago to look at Arizona. She stated that our arts organizations have a poor history of tradition in the Valley, where for every three moving in, two move out. In addition, people living here support those organizations from where they came. Ms. Millinger stated that research was conducted on Atlanta, Indianapolis, Portland, Seattle, Boston, San Diego, and it was found that each metro region was either in the process of a collaborative effort as critical piece of competitive advantage, or had efforts underway. Ms. Millinger stated that the idea was to bring together the leadership of region and have a regional task force. She stated that in six months, the Task Force is charged with coming forth with a regional vision of arts and culture, a strategy for carrying it forward, and a next step plan. Ms. Millinger stated that Battelle Institute is benchmarking this region against other regions and will make that data available. She noted that each city were sent invitations for the focus groups. Ms. Millinger stated that community dialogue will take place in November, and information will be sent out on that. She noted that recommendations from the Task Force are anticipated in March. Chairman Ellis thanked Ms. Millinger for her report.

9. State Trust Land Reform

Michelle Green gave a presentation on efforts to reform the process for disposing of State Trust lands. She stated that MAG is participating in an informal group working with the Arizona State Land Department and conservation community to develop a proposal to obtain economic value from the Trust, while preserving land for open space or conservation. Ms. Green explained that the process began following the failures of Proposition 100 and the Citizens Growth Management Initiative. She stated that the intent of the process is to have one initiative going forward that all parties could support or not oppose. She noted that in addition to MAG, participants in the group include the Arizona State Land Department, the educational community, the Cattleman's Association, the Conservation Coalition, the Homebuilder's Association, Grady Gammage, Steve Betts, Valley Partnership, Steve Olson representing the Arizona League of Cities and Towns, Lisa Atkins representing the Board of Supervisors, and Ed Fox, Chair. Ms. Green stated that a draft final concept would be presented after more work is completed. She added that there is a group that is drafting potential changes to the existing constitution and legislation that would be necessary to implement the concepts that are discussed by the larger group. Steve Olson emphasized that the Committee needs to be aware of how much state land could be set aside for conservation purposes--as much as 700,000 acres statewide. He commented that the group's work directly relates to municipalities' land use planning activities and how that integration could take place with the State Land development process. Mr. Olson stated that this is potentially a big deal for member agencies, and he encouraged everyone to be tracking this. Chairman Ellis stated that his city has large tracts of developable state lands. This issue is extremely important and is one of the biggest land use issues facing cities. Chairman Ellis offered the assistance of his city in the effort. He thanked Ms. Green and Mr. Olson for their update.

10. Homeland Security Urban Area Assessment

Tom Remes stated MAG was approached by the Arizona Office of Homeland Security to act as a regional point of contact. He mentioned that approximately \$11 million from the Urban Areas Initiative Grant Program II will be assigned to the region to benefit a regional response. Following the grant guidelines, the Urban Area Working Group was established and includes the State, Maricopa County, and City of Phoenix. Glendale and Mesa were added to the Working Group because they are Metropolitan Medical Response System cities. Mr. Remes noted that Glendale and Mesa are coordinating the jurisdictions in their subregions and coordinated a full day meeting for jurisdictions to discuss the grant, assessment, equipment, and associated costs, such as training, upkeep, licensing, etc. He noted that there are three parts to this specific grant: The Urban Area Assessment, due September 30th, the Urban Area Homeland Security Strategy, due October 31st, and the Budget Detail Worksheets, due November 30th.

Mr. Remes noted that there are many homeland security activities going on concurrently. The current assessment is using information that is currently being collected through the 2003 Federal Risk Assessment. Mr. Remes stated that the Assessment that has been turned in to Maricopa County includes threat assessments, potential targets, weapons of mass destruction response levels, tasks by discipline, current capabilities, and personal protective equipment. He noted that this information is considered sensitive, so submitted information is coded so that

damaging information is not released. Mr. Remes stated that the Strategy portion needs to be submitted in October. He stated that he will be bringing more information to the Committee on the Strategy and Funding components at a later date.

Mr. McDermott asked if the grant was a one time grant or would provide ongoing funding for ongoing costs. Mr. Remes replied that the Urban Area Working Group was sent to a federal training program in Denver to discuss this issue. Mr. Remes noted that is his understanding that at this time, there is no specific money set aside for continued training or maintenance of equipment. Mr. Remes noted that there are numerous grant sources that might provide such funding.

Chairman Ellis thanked Mr. Remes for his update.

11. Comments from the Committee

An opportunity was provided for Management Committee members to present a brief summary of current events. The Management Committee is not allowed to propose, discuss, deliberate or take action at the meeting on any matter in the summary, unless the specific matter is properly noticed for legal action.

Mr. Smith acknowledged the assistance of member agencies in the League resolution process. He noted there was a unanimous vote for MAG joining the Arizona State Retirement System. The next step in the process is the Legislature. He expressed his appreciation to cities for their help.

Mr. Morales referred to Mr. Crowley's comments about not receiving information he requested in a timely manner. He commented that having been an elected official, public information requests are important. Mr. Morales expressed that if Mr. Crowley makes a request and pays his copying fees, he has a right to public information. Mr. Morales noted that he realized there are two sides to every story.

Chairman Ellis requested that staff provide an informational report at the next Management Committee meeting that explains MAG's process for providing information to the public. Mr. Smith noted that staff has met with Mr. Crowley and other citizens who have participated at MAG, and are sorting their suggestions with the Regional Council Chair. He stated that MAG adheres to the Public Record act, and has policies in place for copies, information in the library, etc. Mr. Smith stated that staff would be glad to provide a report at the next meeting.

There being no further business, the meeting adjourned at 1:30 p.m.

Chairman

Secretary